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In re application of Chad A. Mirkin et al. :
Serial No. : 09/975,384 : DECISION ON PETITION
Filed : October 11, 2001 :
Attorney Docket No.: 00-713-i13 :

This is in response to applicant's petition, filed November 25, 2003 under 37 CFR 1.181, to withdraw the holding of abandonment.

BACKGROUND

Review of the file history shows that the application was filed on October 11, 2001 under 35 U.S.C. 111(a). On October 31, 2001 the Office mailed a Notice to Comply with sequence rules. Applicants filed a sequence listing in paper and computer readable form on January 18, 2002. On October 29, 2003 the Office mailed a notice of abandonment for failure to reply to the notice of October 31, 2001.

DISCUSSION

Further review of the file history shows that the abandonment was withdrawn on November 5, 2003, though applicants were apparently not notified. It also appears that applicants were not notified that the computer readable form of the sequence listing submitted January 18, 2002 was damaged (see enclosed CRF problem report). Applicants have received an Office action on the merits, mailed November 17, 2003, which did not mention the problem with the sequence listing. In the interest of compact prosecution, it is suggested that applicants provide a new computer readable form of the sequence listing with their response to the outstanding Office action.

DECISION

Applicant's petition is **GRANTED**.

Any request for reconsideration or review of this decision must be made by a renewed petition and must be filed within TWO MONTHS of the mailing date of this decision in order to be considered timely.

Should there be any questions with regard to this letter please contact Bruce Campell by letter addressed to the Director, Technology Center 1600, P.O. Box 1450, Alexandria, VA, 22313-1450, or by telephone at (571) 272-0974 or by facsimile transmission at (571) 273-0974.

A handwritten signature in cursive script, reading "Jasmine C. Chambers".

Jasmine Chambers
Director, Technology Center 1600